

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION  
IN ADMIRALTY

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

2016 MAY 25 PM 3:25

CLERK

SO. DIST. OF GA.

DHL PROJECT & CHARTERING  
LIMITED

Plaintiff,

vs.

NEWLEAD HOLDINGS LTD.,  
NEWLEAD SHIPPING S.A.,  
NEWLEAD BULKERS S.A.  
NEWLEAD CASTELLANO LTD.,  
GRAND VENETICO INC.,  
NEWLEAD VENETICO LTD.

Defendants.

CIVIL ACTION FILE  
NO. \_\_\_\_\_

**CV 416 - 123**

**AFFIDAVIT IN SUPPORT OF RULE B ATTACHMENT**

I, **William E. Dillard**, swear as follows:

1. I am an attorney licensed to practice before this court and am an attorney with Brennan Wasden & Painter, LLC, counsel to Plaintiff in the above-captioned action, DHL Project & Chartering Limited.

2. I make this affidavit in support of Plaintiff's application for attachment pursuant to Supplemental Rule B of the Federal Rules of Civil Procedure in order to demonstrate that the Defendants Newlead Holdings Ltd., Newlead Shipping S.A., Newlead Bulkurs S.A., Newlead Castellano Ltd., Grand Venetico Inc. and Newlead Venetico Ltd. (collectively, "Defendants") are not "present" in this judicial district for the purposes of Rule B.

3. In order to make this determination, my office examined the Georgia Secretary of State, Corporations Division, to determine if any of the Defendants has registered as a foreign corporation in this state, and could not locate any records bearing any of the Defendants names.

4. My office consulted additional sources including the Westlaw Company Index and Equasis, and was unable to find the Defendants within this District or the state of Georgia.

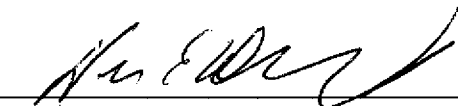
5. My office also checked the website maintained by Newlead Holdings Ltd., the parent company over the Defendants, which website listed addresses for only Newlead Holdings in Greece, as well as a Newlead Holdings' subsidiary in North Carolina.

6. Based upon the facts set forth in the Verified Complaint, I respectfully submit that the Defendants are contingently liable for the damages alleged in the Verified Complaint, which amounts, as best as can presently be determined to a total of \$14,303,762.90.

7. Upon information and belief, the Defendants have tangible and intangible property including but not limited to the vessel M/V NEWLEAD CASTELLANO which is presently located within this District.

8. I am unaware of any indicia of presence of Defendants in this judicial district and my investigation has failed to reveal any. Accordingly, the attachment of assets belonging to Defendants present in this district, including but not limited to the vessel M/V NEWLEAD CASTELLANO, is proper.

Respectfully submitted, this 25<sup>th</sup> day of May, 2016.

  
\_\_\_\_\_  
William E. Dillard  
State Bar No. 222030

Sworn to and subscribed before me  
This 25<sup>th</sup> day of May, 2016.

